

HOUSE BILL 3201

By Eldridge

AN ACT to amend Tennessee Code Annotated, Title 68,
Chapter 120, Part 1, relative to the Carbon
Monoxide Alarm Detector Act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and cited as the "Carbon Monoxide Alarm
Detector Act."

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 120, Part 1, is amended by
adding the following as a new appropriately designated section:

68-120- __.

(a) The following words and phrases as used in this section, unless a different
meaning is plainly required by the context, shall have the following meanings:

(1) "Approved carbon monoxide alarm" or "alarm" means a carbon
monoxide alarm that complies with all the requirements of the rules and
regulations of the state fire marshal, bears the label of a nationally recognized
testing laboratory, and complies with the most recent standards of the
Underwriters Laboratories, Inc. or the International Code Council, Inc.

(2) "Dwelling unit" means a room or suite of rooms used for human
habitation, and includes a single family residence as well as each living
unit of a multiple family residence and each living unit in a mixed use
building.

(b) Every dwelling unit shall be equipped with at least one (1) approved carbon
monoxide alarm in an operating condition within fifteen feet (15') of every room used for
sleeping purposes. The carbon monoxide alarm may be combined with smoke detecting

devices provided that the combined unit complies with the respective provisions of the administrative code, reference standards, and departmental rules relating to both smoke detecting devices and carbon monoxide alarms and provided that the combined unit emits an alarm in a manner that clearly differentiates the hazard.

(c) Every structure that contains more than one (1) dwelling unit shall contain at least one (1) approved carbon monoxide alarm in operating condition within fifteen feet (15') of every room used for sleeping purposes.

(d) It is the responsibility of the owner of a structure to:

(1) Supply and install all required alarms; and

(2) Provide one (1) tenant per dwelling unit with written information regarding alarm testing and maintenance.

(e) It is the responsibility of the tenant to:

(1) Test and to provide general maintenance for the alarms within the tenant's dwelling unit or rooming unit;

(2) Notify the owner or the authorized agent of the owner in writing of any deficiencies that the tenant cannot correct;

(3) Replace any required batteries in the carbon monoxide alarms in the tenant's dwelling unit, except that the owner shall ensure that the batteries are in operating condition at the time the tenant takes possession of the dwelling unit; and

(4) Provide the owner or the authorized agent of the owner with access to the dwelling unit to correct any deficiencies in the carbon monoxide alarm that have been reported in writing to the owner or the authorized agent of the owner.

(f) The carbon monoxide alarms required under this act may be either battery powered, plug-in with battery back-up, or wired into the structure's AC power line with secondary battery back-up.

(g) The following residential units shall not require carbon monoxide detectors:

(1) A residential unit in a building that:

(A) Does not rely on combustion of fossil fuel for heat, ventilation, or hot water;

(B) Is not connected in any way to a garage; and

(C) Is not sufficiently close to any ventilated source of carbon monoxide, as determined by the local building commissioner, to receive carbon monoxide from that source; or

(2) A residential unit that is not sufficiently close to any source of carbon monoxide so as to be at risk of receiving carbon monoxide from that source, as determined by the local building commissioner.

SECTION 3. This act shall take effect July 1, 2010, the public welfare requiring it.